

November 23, 2011

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Communications, PS Docket No. 11-82

Dear Ms. Dortch:

On November 21, representatives from AT&T, CenturyLink, Comcast, Verizon, and Vonage (“Provider Representatives”) and representatives from the National Emergency Number Association (“NENA”)¹ met with Josh Gottheimer in the Office of Chairman Julius Genachowski; Julie Veach of the Office of General Counsel; and Jamie Barnett, Rear Admiral (Ret.), Michael Caiafa, Michael Connelly, Lisa Fowlkes, Jeffery Goldthorp, John Healy, Gregory Intoccia, Jane Kelly, Lauren Kravetz, and Vernon Mosley of the Public Safety and Homeland Security Bureau to discuss the Commission’s proposal to extend the Part 4 outage reporting requirements to interconnected VoIP services, broadband Internet access services, and Internet backbone services.²

At the meeting, all the attendees expressed their support for the Commission’s goal of promoting policies and programs that ensure customers have access to emergency services. All attendees also expressed an interest in engaging in a constructive discussion with the Commission staff with the goal of identifying areas of common ground to achieve the FCC’s objectives. However, the Provider Representatives, consistent with previous filings, expressed concerns with the proposal to mandate outage reporting requirements on interconnected VoIP providers and broadband service providers as set forth in the Notice of Proposed Rulemaking.³ The NENA representatives, consistent with NENA’s prior filings in this docket, generally

¹ A complete list of all the Provider Representatives and NENA representatives who attended this meeting is included in Attachment A.

² See *In re Proposed Extension of Part 4 of the Commission’s Rules Regarding Outage Reporting to Interconnected Voice over Internet Protocol Service Providers and Broadband Internet Service Providers*, 26 FCC Rcd. 7166 (2011).

³ See e.g., Ex Parte Letter of Barbara Esbin, Counsel to the American Cable Ass’n, et al, to James A. Barnett, Jr., Rear Admiral (Ret.), Chief, Public Safety and Homeland Security Bureau, PS Docket No. 11-82 (Nov. 14, 2011) (ex parte letter from ISPs and trade associations explaining why the proposed rules “are unnecessarily broad and are not narrowly tailored to the Commission’s stated goal of ensuring reliable access to 9-1-1 systems”).

supported the Commission's proposals and noted the benefits that increased data reporting could provide to policymakers.⁴

The attendees discussed possible ways to modify the proposed rules to reduce the burden on industry, while still providing the Commission with information pertinent to public safety. The Provider Representatives explained, consistent with their filings in this proceeding, why outage reporting requirements for broadband Internet access services and Internet backbone service would be overly burdensome and unnecessary. With respect to interconnected VoIP services, the Provider Representatives suggested that any outage reporting apply only to events affecting a 911 facility or involving a complete loss of service that has an actual impact on customers' ability to reach emergency services. The Provider Representatives also recommended extending the current two-hour period to notify the Commission of such events. The attendees discussed how this would allow providers time to focus on service restoration and to determine the nature of the event. Finally, the Provider Representatives discussed whether there is a need for each of the three separate reports currently required under the current Part 4 rules.

Pursuant to section 1.206(b)(1) of the Commission's rules, 47 C.F.R. § 1.1206(b)(1), this *ex parte* notification is being filed for inclusion in the public record of the above referenced proceeding.

Respectfully submitted,

/s/Joseph Marx
AT&T

/s/ Melissa Newman
CenturyLink

/s/Kathy Zachem
Comcast

/s/Trey Forgety
National Emergency Number Association

/s/ Kathy Grillo
Verizon

/s/Brendan Kasper
Vonage

Cc: Josh Gottheimer
Jamie Barnett, Rear Admiral (Ret.)
Michael Connelly
Jeffery Goldthorp
Gregory Intoccia
Lauren Kravetz

Julie Veach
Michael Caiafa
Lisa Fowlkes
John Healy
Jane Kelly
Vernon Mosley

⁴ See e.g., Ex Parte Letter of Trey Forgety, NENA, to Julius Genachowski, Chairman, FCC, PS Docket No. 11-82 (Nov. 7, 2011)

ATTACHMENT A

<u>NAME</u>	<u>ORGANIZATION</u>
Joe Marx	AT&T
Robert Quinn	AT&T
Jack Zinman	AT&T
Stacy Hartman	CenturyLink
Melissa Newman	CenturyLink
Lawrence Sarjeant	CenturyLink
Kristofer Spong	CenturyLink
Jeanie York	CenturyLink
Lynn Charytan	Comcast
Charlotte Field	Comcast
Mary McManus	Comcast
Kathy Zachem	Comcast
Trey Forgety	NENA
Brian Fontes	NENA
Nneka Ezenwa	Verizon
Kathy Grillo	Verizon
Mike Montano	Verizon
David Young	Verizon
Brendan Kasper	Vonage
Mike Mayernik	Vonage